

## City of Oshkosh



TO: Honorable Mayor and Members of the Common Council

FROM: Lynn A. Lorensen, City Attorney

DATE: December 14, 2010

RE: Draft Gift Policy

### **BACKGROUND**

The City of Oshkosh has been the recipient of many generous gifts and donations. The City Council had requested staff draft a gift policy for the City of Oshkosh to establish a standard process for the review of gifts to the City, including the costs related to acceptance and maintenance, and to ensure an opportunity for public input for new structures and review by appropriate boards or commissions for new programs, acquisitions and/or structures.

The City of Oshkosh has no formal gift policy. Currently, many departments accept gifts and donations and in some cases, particularly with larger gifts or gifts related to new public structures or programs, items are brought forward for Council approval. By statute, certain items, such as gifts of property for a park or gifts involving the location of a statue or memorial, must be recommended by the Plan Commission and accepted by Council. The Oshkosh Public Museum and the Oshkosh Public Library have gift policies that are adopted by their governing boards.

Gifts and donations policies from other municipalities, universities, parks departments and other public and private organizations from throughout the United States were reviewed, as well as applicable state statutes. The attached draft includes concepts from some of those policies as well as from staff experience and establishes a general process for the review of proposed gifts and donations and sets forth criteria to form a basis for that review.

## **ANALYSIS**

The proposed policy would apply to all donations and gifts made to the City of Oshkosh and any of its departments or divisions except for gifts or donations made directly to the Oshkosh Public Museum and Oshkosh Public Library which are done pursuant to their donations policies. The policy is intended to apply only to gifts and donations and is not intended to apply to any commercial relationships such as naming rights or commercial sponsorships. The proposed policy is clear that the City of Oshkosh retains the sole discretion whether to approve or deny any proposed gift or donation.

Staff recognized that the types of gifts and donations that have been received by the City in the past vary greatly. Recognizing this, the proposed policy establishes a general procedure, but does recognize that individual circumstances may arise which may justify variation from the strict terms of the policy.

The proposed policy breaks gifts and donations into three subcategories for review. The first category is monetary gifts and gifts of negotiable securities. The proposed policy would allow the City Manager, or Department Heads upon his/her approval, to accept any monetary gifts to be made for previously approved, established or budgeted funds or capital campaigns. For example, if someone donated \$200 to support the purchase of flowers for the city parks, that amount could be accepted by the City Manager or Director of Parks since it is in support of an already existing program. Similarly, if someone gave an unconditional or undesignated donation to the City, the City Manager or Department Heads could accept the amount to support existing programs or services.

If a monetary gift or donation is made specifically for a new public improvement project, memorial, work of art, tribute or new program, the policy specifies that the review process will follow the procedures set forth in the policy as if the donation were being made of the actual improvement or program. Finally, if the gift is of negotiable securities, the policy authorizes the City Manager to accept such a donation when acceptance is in accordance with applicable statutes and rules governing municipal finances and investments and is either not subject to any conditions or is in furtherance of an already approved, established or budgeted fund or donation.

The second category of gifts and donations are gifts or donations of real property. The proposed policy provides that any proposed gift or donation of real property must be reviewed by the City Manager, who shall make recommendation to the

appropriate boards or commissions, the Plan Commission and the Common Council. Gifts of real property must be reviewed for suitability for the intended use or potential for resale; any conditions which may be placed upon the use of the property by the donor; potential environmental concerns; probable maintenance costs and any other relevant information.

The third category of gifts and donations are non-monetary gifts and donations, except for gifts of real estate. The proposed policy would allow the City Manager, or Department Heads upon his/her approval, to accept donations of materials or other items in support of previously approved, established or budgeted projects or which are typical for use in their department or division. A common example of this is where the Director of Parks is specifically authorized to accept donations of typical park amenities such as benches, replacement playground and sports equipment, flora or fauna. Another typical example might be the donation of plates, cups and napkins for a luncheon for the Oshkosh Senior Center.

In all of the cases above, no Board or Commission or Council approval is proposed. In all of these cases, the money or items are proposed to be donated in support of existing projects or programs or are simply gifts or donations to support the city or a department in general without any condition. In these cases, individual approvals of donations would appear to add unnecessary time and burden to an already existing program or project. If an unconditioned gift or donation were to be used for something other than an existing program or project, it would require review and approval prior to implementation either through a bid or budget process, at which time the Council, and any appropriate board or commission, could review the actual proposed use of the funds.

For all other types of gifts, the proposed policy would require the completion of a Donation Agreement Form (a draft of which is attached to the proposed policy) and review by the City Manager, any appropriate boards or commissions, and the City Council. This process would include any proposed gifts of public art such as statues, murals, and paintings; Memorials; Tributes; and Public Improvement Projects. The proposed policy then sets forth criteria to guide the City Manager, Boards, Commissions and Council in their review of individual proposals. These criteria include consistency with the City's plans, policies and mission; proposed location; suitability; compatibility with surroundings; costs; and other considerations. As with the special events policy, we have drafted this list in an inclusive manner, identifying many different criteria. The Council may choose to delete items from this list or add additional criteria to it. It should also be noted that the criteria were not weighted in any manner, or identified in any

order of importance. In addition, some criteria may have more or less application to an individual proposal.

Works of Art and donations of memorials, tributes or proposals for naming which are not commercial in nature have additional criteria for review specified. In conjunction with mural regulations, currently being reviewed by the Plan Commission, this policy anticipates the creation of a Public Arts Advisory Committee. Works of art, including statues, monuments, memorials, tributes, sculptures, graphics and signs are proposed to be reviewed by the Public Arts Advisory Committee with regard to the criteria set forth in the proposed policy prior to review by the Plan Commission and Common Council. A copy of the draft ordinance for the Public Arts Advisory Committee is attached to this memorandum as well.

The proposed draft also includes sample forms for donation of money, personal property and public improvement projects, tributes, memorials and works of art. At the suggestion of staff, there is also a draft form for recording in kind contributions such as volunteer service, or other materials or service that may not require approvals under the terms of the policy but which staff believed should be tracked and acknowledged.

### RECOMMENDATION

At this time, this draft is being provided to Council only for informational purposes not for specific action. Staff is also providing copies of the draft policy to the Plan Commission, Parks Advisory Board and Finance Committee for their review and comments. If there are any questions or suggestions related to the policy, please feel free to contact the City Attorney's office.

Respectfully Submitted,



Lynn A. Lorensen  
City Attorney

Approved:



Mark A. Rohloff  
City Manager

## **CITY OF OSHKOSH GIFTS AND DONATIONS POLICY**

The City of Oshkosh has been enriched by the generous donations of individuals and entities in support of the Oshkosh community. The City of Oshkosh welcomes and encourages support from private individuals and entities that support the programs and services that the City provides to the public.

The City will review proposed gifts and memorials for the purpose of assisting the donors in reaching their intended goals while recognizing the mission, goals, plans, resources and limitations of the City as a whole. It is intended that this policy provide a thoughtful review process which considers the intentions of the donor, is sensitive to the needs and desires of the community, and is sensitive to the costs associated with proposed gifts and donations, including long-term costs of maintenance and care.

### **Purpose**

The purpose of the Gifts and Memorials Policy is to provide a foundation including guidelines and procedures for considering and receiving proposed donations to the City of Oshkosh.

### **Definitions**

**Donation(s)/Gift(s):** Any item proposed to be deeded, bequested or otherwise given or donated to the City of Oshkosh including, but not limited to, endowments; real property; public improvement projects or proposals; structures or portions of structures; money; negotiable securities; materials; equipment; flora; fauna; improvements to facilities or land; statues; monuments; memorials; tributes; sculptures; murals and other public works of art; plaques; and graphics or signs.

**Donor:** A private individual, for-profit company, non-profit organization, public agency or any other entity wishing to make a donation or gift to the City of Oshkosh.

**Donor Recognition Object:** A physical object such as a plaque or sign placed to acknowledge a donation or gift.

Monument/Memorial: An item or object established to preserve the memory of a deceased person(s) or an event that occurred in the past. Any statue, sculpture, mural or other structure or landscape feature designed to perpetuate in a permanent manner the memory of any person, group, event or other significant element of history.

Park Amenity: Typical park improvements that contribute to the traditional use of park land such as benches, play structures, picnic tables, shelters, sports facilities, trails, etc.

Public Art: Works of Art including, but not limited to, paintings, prints, sculptures, and murals.

Public Improvement Project/Proposal: May include a funded, partially funded or unfunded capital project(s) request consisting of real property, structures, portions of structures, materials and/or equipment for construction or renovation of a structure or landscape feature. Maintenance activities such as weeding or replanting established gardens is not considered a public improvement project for purposes of this policy.

Tribute: An item, object or gift designed to acknowledge the contributions of a living person(s) to society. Projects recognizing groups such as persons with cancer or AIDS are also considered tributes.

### **Applicability**

This policy shall cover all donations and gifts to the City of Oshkosh and any of its Departments or Divisions except for donations made to the Oshkosh Public Library and Oshkosh Public Museum which are done pursuant to their Donations Policies. This policy is not intended to cover sponsorships, naming rights or other similar arrangements of a commercial nature.

The City of Oshkosh retains sole discretion to determine whether to accept or decline any proposed gift or donation. This policy shall not be construed to create any right for any individual or organization to make any improvement or place any items on any public property within the City of Oshkosh regardless of whether their proposal meets any or all of the criteria laid out herein.

### **Procedure**

As donations and gifts vary greatly, the review process may be tailored according to the type of gift or donation proposed and the complexity of the proposal. Those wishing to make a gift or donation are strongly encouraged to contact the

recipient city department(s) or division(s) at the earliest possible time to discuss the proposed gift and the process for review.

### **Donation Agreement Form**

Donors may be required to complete and submit a Donation Agreement Form. The Recipient Department/Division shall assist the Donor with completion of the form. This form shall be approved by the City Manager and shall include, as appropriate and applicable, the intent of the proposal, cost estimates, size, proposed siting, timeline, site drawing, future maintenance requirements and any other information the City Manager may deem necessary and/or useful.

The completed Donation Agreement Form shall be submitted to the City Manager for review and recommendation to the Council, if required.

### **Monetary Gifts and Donations / Gifts and Donations of Negotiable Securities**

- 1) Previously established funds or campaigns. The City Manager and/or Department Heads, upon approval of the City Manager, are hereby authorized to accept any monetary gifts or donations to be made for a previously approved / established / budgeted fund or capital campaign.
- 2) Undesignated/Unconditioned Monetary Gifts/ Donations. The City Manager and/or Department Heads, upon approval of the City Manager, are hereby authorized to accept any undesignated and/or unconditioned monetary donations made to the City and shall deposit such money with the Finance Department. The amounts shall be deposited in the account(s) most appropriate to the intentions of the Donor(s) when identified.
- 3) Conditioned Donations. In the event that a monetary donation is conditioned or donated specifically for a new Public Improvement Project, Memorial, Work of Public Art, Tribute, or new program; the Recipient Department shall assist the Donor to complete a Donation Agreement form and the Donation shall follow the procedures set forth in this policy as if the donation were to be made of the actual program or item proposed to be acquired or constructed. If the donation is not accepted, the City Finance Director shall return the donation to the donor. If appropriate, the City Finance Director may establish a new fund or project within a fund for the donation.
- 4) Negotiable Securities. The City Manager is hereby authorized to accept donations of negotiable securities when in his/her professional judgment, in consultation with the Finance Director and the affected Department Head, acceptance of the proposed donation is in accordance with the statutes, rules

and regulations governing municipal finances and investment; and, the proposed donation is not subject to conditions, is for a previously approved/established/budgeted fund or campaign, or is for a conditioned donation that has been approved pursuant to this policy. Negotiable securities may be held or sold at a marketable rate and the proceeds of such sale used as specified by the donor or as may be deemed appropriate in the best interests of the City.

### **Gifts of Real Property**

The City Manager shall review any proposed donation of real property and make recommendation to the appropriate boards or commissions and to the Common Council. Proposed gifts or donations of real property shall be reviewed for suitability for the intended use or potential for resale; any conditions which may be placed upon the use of the property by the donor; potential environmental concerns; probable maintenance costs; and any other relevant information. Appraisals of the property may be requested from the Donor. All gifts or donations of real property shall be reviewed by the Plan Commission for recommendation prior to Common Council action.

### **Non-Monetary Gifts and Donations** **(excluding real estate)**

- 1) The City Manager and/or Department Heads, upon approval of the City Manager, are hereby authorized to accept donations of materials or other items made for previously approved / established / budgeted projects or materials or other items that are typical for use in a city department or division.
- 2) The Director of Parks is hereby authorized to accept donations of typical park amenities such as benches, replacement playground equipment and sports facilities, gifts of trees or other flora and similar items.
- 3) For other gifts and donations including, but not limited to, substantial gifts such as Public Art, Memorials, Tributes, and Public Improvement Projects, the Recipient Department shall assist the Donor in completing a Donation Agreement form and forward the completed form to the City Manager for review and recommendation to any appropriate boards or commissions and to the Common Council. The City Manager, Boards/Commissions and Common Council shall consider all of the circumstances surrounding the proposed gift including the criteria as enumerated within this policy and as may be applicable to the proposed donation. If the donation is approved and if appropriate, the Finance Director may establish a new fund or project within a fund for the donation.

## Criteria for Evaluating Gifts and Donations

In order to assist potential donors to fulfill their desires to make a gift or donation to the City of Oshkosh and to ensure that all gifts and donations are consistently, fairly and thoughtfully reviewed, the City will be guided in its review of proposed gifts and donations by the following guidelines.

### Donations of Memorials/Tributes/Public Improvement Projects and Works of Art:

When reviewing proposed donations of Memorials, Tributes, Public Improvement Projects and Works of Art, the following criteria shall be considered, as well as any other criteria which may be relevant on a case by case basis:

- Consistency with the mission, policies and master plans governing the City of Oshkosh and/or the particular department or division
- Whether the proposed donation/gift provides improvements to an area of the City which may be deficient in public amenities
- Whether the proposed donation/gift promotes the preservation of historical and cultural aspects of the community
- Whether the proposed gift/donation has an educational component
- Whether the proposed donation/gift helps to promote conservation, preservation and protection of the natural environment
- Whether the proposed donation helps to promote preservation of natural areas and greenspace where such preservation is suitable, is contemplated by plans, or is otherwise desirable
- Whether the proposed gift/donation provides a new or different experience for the public
- Whether the proposed gift/donation promotes the use of public spaces for a variety of interests such as special events, sports tournaments, competitions, and other recreational opportunities, including both active and passive recreation in a park or other area where such uses are suitable, are contemplated by plans or are otherwise desirable
- Whether the proposed gift/donation is suitable for the purpose proposed
- Whether the proposed gift/donation is compatible with the proposed location, if one has been identified, and other users of the public space
- Whether the proposed gift/donation compliments or is harmonious with existing improvements and features in the area
- Whether the proposed gift/donation contributes to, or detracts from, the aesthetic qualities of the surrounding area and other improvements
- Whether the quality, scale and character of the proposed gift/donation is harmonious with the surrounding public or park setting
- Whether the proposed gift/donation replaces aging, outdated or unsafe infrastructure
- Whether the proposed public gift/donation is a traditional park or municipal amenity

- Whether the proposed gift/donation reuses, rehabilitates or restores an existing park or municipal feature
- Financial implications to the City of Oshkosh based on the cost of the proposed gift/donation or project implementation including installation and ongoing maintenance if applicable
- Whether the proposed gift/donation covers the entire anticipated cost, including reasonably anticipated future costs
- Provision by the donor for ongoing maintenance and cost of relocation and removal, if necessary

The level of maintenance and costs of relocation or removal vary depending on the nature of the proposed gift/donation. In general, donors will be asked to contribute enough money to cover long term maintenance costs, relocation and removal, if reasonably anticipated. These costs shall be estimated and submitted with the donation form.

The City may agree to take on future maintenance costs and will consider the following criteria when making such decision.

- The community's need or desire for the donation or improvement;
  - Whether, and to what extent, the proposed gift/donation provides new or diverse experiences for community members and visitors;
  - The financial capacity of the donor;
  - Ease of maintenance and repair; and
  - Whether the annual maintenance cost is so low as to be negligible.
- Suitability of the gift/donation to the environmental conditions of public display
  - Susceptibility of the gift/donation to wear and vandalism
  - Suitability of the gift/donation to the technical requirements or design standards for installation of improvements in public places
  - Whether any public safety or security issues are identified and the potential danger to the public health, safety or welfare associated with the proposed gift/donation
  - Whether the proposed gift/donation complies with all applicable codes including building codes and ADA requirements
  - Whether the gift or donation is restricted in any manner and the impact of those restrictions or contingencies

### Works of Art –

In addition to the above-listed criteria, if the proposed gift/donation is a Work of Art, the following criteria shall be considered as well as any other criteria which may be relevant on a case by case basis:

- Quality of the work based upon a professional assessment of the work, detailed written proposal, drawing or maquette or photographs
- Suitability of the theme of artwork to a public venue
- Appropriateness of the artwork to the site, in the case where a particular site has been requested or identified
- Appropriateness of the process for selecting the artist or artwork
- Qualifications of the artist based on documentation of past work and the artist's professional qualifications

### Memorials / Tributes / Naming—

The City of Oshkosh respects the desire of individuals to commemorate special events or the lives of loved ones, living and deceased. However, the City also recognizes that other community members who visit public places may desire not to be burdened with a constant reminder of mortality, death or traumatic events. The City also recognizes the important contributions of many individuals to community life and that it is simply impossible to recognize all of those contributions. To that end, if the proposed gift/donation is a Memorial or Tribute or a non-commercial request to name a public space or other item, the City of Oshkosh shall consider the following criteria, as may be appropriate to the particular donation, in addition to those criteria identified above.

- The person memorialized must have been deceased for a minimum of five (5) years; or an event must have occurred at least five (5) years ago.
- The proposed donation must have timeless qualities and make a statement of significance for future generations
- The proposed donation must represent a person or event deemed significant to the City of Oshkosh's history; names of individuals who have made a significant contribution directly and locally to the City of Oshkosh shall be preferred over the names of national figures
- The proposed donation must meet the general criteria enumerated in this policy
- Whether any increased use of the park or public area resulting from the placement of the memorial or tribute is appropriate to the surrounding context and uses
- Whether the design of the particular donation is solely representative of the particular person or event being commemorated or is of a broader community appeal
- Whether the proposed donation has a functional component

- Whether the individual or group is associated with the particular building, park or other public facility at issue
- When possible, the family should be contacted and allowed an opportunity to comment upon the naming of a building, park or facility after an individual
- In and of themselves, contributions of land or money for public facilities shall not be considered sufficient justification for naming or renaming facilities after individuals, in tribute or memoriam

### **Donor Recognition Objects**

The City of Oshkosh appreciates the desire of some donors to be recognized either personally or on behalf of another for their generous donations. If a donor recognition object is to be included as part of a proposed gift/donation, such object should be specifically identified and submitted with the Donation Agreement Form for approval. In general, it is the policy of the City of Oshkosh to limit donor recognition objects to plaques or other recognition objects which are small in scale, which do not detract from green space areas and/or which are part of an approved project involving the use of personalized decorative tiles or pavers. The City Manager and Department Heads are hereby authorized to approve Donor Recognition Objects which are proposed in accordance with this policy.

### **Items to be referred to Boards or Commissions prior to acceptance**

Prior to Common Council action for acceptance of any proposed gift or donation requiring Council approval, the City Manager shall review the proposed gift or donation and make recommendation to the appropriate advisory boards or commissions for their review and recommendation. Proposed gifts or donations shall be reviewed with reference to the criteria set forth in this policy. All gifts or donations of real property shall be reviewed by the Plan Commission for recommendation prior to Common Council action.

Any works of Art including but not limited to statues, monuments, memorials, tributes, sculptures, murals, graphics or signs shall, in addition to any other appropriate board or commission, be referred to the Public Arts Advisory Committee and Plan Commission for their review and recommendation.

### **Additional Requirements**

**Private Construction.** If construction of a Public Improvement Project is coordinated or contracted for by the donor, the donor will be responsible for complying with all federal, state and local laws which may include competitive bidding and state wage rate laws. The donor will also bear the cost of all

necessary permits, approvals, project management, design, installation, and manufacture of the gift/donation unless these costs are specifically accepted or waived by the City of Oshkosh.

Proof of compliance with the City's insurance requirements for contractors will be required before work may commence on any Public Improvement Project.

Improvements made in a public place become the property of the City of Oshkosh and are subject to the laws, policies and procedures of the City of Oshkosh.

Damaged, lost, stolen or worn gifts or donations. The City is not obligated to replace any gift/donation or improvement if it is lost, stolen, damaged or worn.

The City of Oshkosh reserves the right to remove any donated project for safety reasons, deterioration caused by age, neglect or vandalism, and/or the City's inability to finance ongoing maintenance or repairs.

Acknowledgements & Anonymity. All donations for which the donor does not request anonymity shall be acknowledged by the City Manager, Finance Director or appropriate Department Head with a letter of appreciation. For a monetary gift given in memorial, tribute, bequest, or in recognition of someone, a letter shall be sent to the person or family of the person being honored.

Because the City of Oshkosh is a municipal entity and subject to the provisions of the Wisconsin Public Records Law, the City cannot guarantee anonymity of individual donors but will work with individuals who wish to remain anonymous in their donations to provide appropriate means for those individuals to make their gifts/donations while maintaining their privacy.

Appraisals. The City may, at its option, request or require an appraisal of real or personal property prior to the acceptance of any gift or donation.

Waiver of Terms of this Policy. The City Council may waive any of the criteria specified within this policy upon a finding that it is in the best interests of the City to do so.

Tax Liability. It is the responsibility of the donor to assign a monetary value to the gift for tax purposes. Information provided by the City of Oshkosh, its officials, employees or agents in connection with gifts/donations is intended to be informational only and is not intended to be a substitute for professional financial or legal advice or opinions. The City of Oshkosh makes no representations or guarantees as to the tax implications of any gift or donation made to the City. Donors are responsible and are advised to obtain their own tax and financial advice from appropriate professionals.

### **Reports to the Council**

Annually, after the close of the fiscal year, the Finance Director shall provide a report to the Council including the details of all gifts/donations with a value of greater than \$5,000.

MONETARY DONATION FORM

DONOR INFORMATION

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

hereby gives to the City of Oshkosh \$ \_\_\_\_\_ for the purpose of \_\_\_\_\_  
\_\_\_\_\_

Any funds in excess of the amount required for the above purpose:

- may be used for \_\_\_\_\_
- shall be returned to the Donor
- may be applied to any other project or fund deemed appropriate by the City Manager of the City of Oshkosh

The City of Oshkosh will make reasonable efforts to accommodate the intended purpose of the donation but reserves the right to utilize, relocate and/or dispose of any item funded through donated funds as the City of Oshkosh may deem fit.

If this donation is in the amount smaller than \$10,000, the City of Oshkosh will not create a separate Trust Account. For amounts greater than \$10,000, the Donor may request and the City of Oshkosh may establish a separate Trust Account for the donated funds.

\_\_\_\_\_  
Donor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Donor

\_\_\_\_\_  
Date

Recommended:

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

Accepted:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

PERSONAL PROPERTY DONATION FORM

DONOR INFORMATION

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

hereby gives to the City of Oshkosh \_\_\_\_\_  
\_\_\_\_\_

for the purpose of \_\_\_\_\_  
\_\_\_\_\_

All right, title and interest in the above stated item(s) is hereby given, donated and transferred to the City of Oshkosh, its successors and assigns forever and without limiting conditions, except as may be specifically stated herein. It is understood and agreed that I/we as Donor(s) retain no right, title or interest in the donated property.

To the best of our knowledge this gift/donation is free and clear of all encumbrances and restrictions.

The City of Oshkosh will make reasonable efforts to accommodate the intended purpose of the donation but reserves the right to utilize, relocate and/or dispose of any item as the City of Oshkosh may deem fit.

If this donation is conditioned or requires the establishment of a new program or fund, this agreement shall not take effect until the Common Council for the City of Oshkosh has specifically accepted this donation.

\_\_\_\_\_  
Donor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Donor

\_\_\_\_\_  
Date

Recommended:

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

Accepted:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

DONATION FORM FOR PUBLIC IMPROVEMENT PROJECTS, MEMORIALS,  
TRIBUTES, WORKS OF ART  
(Including Funding Proposals for the above purposes)

DONOR INFORMATION

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

hereby makes a proposal to fund and/or construct a Public Improvement Project,  
memorial, tribute, or work of art consisting of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The intended purpose of this donation is \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed location \_\_\_\_\_

Donation subject to the following restrictions (if any): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Condition, Conservation and Maintenance Requirements:

What type of materials will be used in the proposed Project? \_\_\_\_\_  
\_\_\_\_\_

What is the intended lifespan of the Project? \_\_\_\_\_

What short and long-term maintenance may be required and what is the  
anticipated cost of such maintenance? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The City of Oshkosh will make reasonable efforts to accommodate the intended purpose of the donation but reserves the right to utilize, relocate and/or dispose of any item funded through donated funds as the City of Oshkosh may deem fit.

This agreement shall not take effect until the Common Council for the City of Oshkosh has specifically accepted this donation.

\_\_\_\_\_  
Donor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Donor

\_\_\_\_\_  
Date

Recommended:

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

Accepted:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

IN KIND CONTRIBUTION RECORDING FORM

DONOR INFORMATION

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

DESCRIPTION OF SERVICES, EQUIPMENT AND/OR MATERIALS PROVIDED,  
QUANTITY, HOURS, AND PURPOSE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STAFF SIGNATURE: \_\_\_\_\_

(CARRIED \_\_\_\_\_ LOST \_\_\_\_\_ LAID OVER \_\_\_\_\_ WITHDRAWN \_\_\_\_\_)

PURPOSE: CREATE PUBLIC ARTS ADVISORY COMMITTEE

INITIATED BY: CITY ADMINISTRATION

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH CREATING SECTION 2-47  
PERTAINING TO CREATION OF A PUBLIC ARTS ADVISORY COMMITTEE

The Common Council of the City of Oshkosh does ordain as follows:

SECTION 1. That Section 2-47 of the Oshkosh Municipal Code pertaining to the  
creation of a Public Arts Advisory Committee is hereby created to read as follows:

SECTION 2-47 PUBLIC ARTS ADVISORY COMMITTEE

(A) Membership and Terms

The Public Arts Advisory Committee shall be composed of five (5) voting members consisting of: Two (2) citizen members, one (1) Plan Commission member, one (1) Landmark Commission member and one (1) Council Member. The Director of Community Development or designee shall serve as coordinator and recording secretary for the Committee. There shall also be appointed two (2) alternate members, who shall be authorized to act in the place of any member who is unable to attend a meeting. Citizen members shall serve three (3) year terms. In addition to these voting members, the Director or his/her designee of the Paine Art Center and Gardens and the Director or his/her designee of the Oshkosh Public Museum shall be advisory members of the Committee.

(B) Purpose, Duties and Functions: The Public Arts Advisory Committee shall have the responsibility to advise the Common Council on :

1. Gifts or donations of public art pursuant to the City of Oshkosh Gifts and Donations Policy.
2. Murals and Public Art.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication.

**SECTION 3. Publication Notice.**

Please take notice that the City of Oshkosh enacted ordinance #10-XXX CREATE PUBLIC ARTS ADVISORY COMMITTEE, on (date passed). The ordinance creates a Public Arts Advisory Committee to advise Council upon gifts or donations of public art and murals and public art.

The full text of the ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and through the City's website at [www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us). Clerk's phone: 920/236-5011.